

RECEIVED PTO · 28 JUN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **ENDO, Tamio, et al.**

Group Art Unit: 1756

Serial No.: **10/510,245**

Examiner: **Not Yet Assigned**

Filed: **October 15, 2004**

Confirmation No.: **2166**

For: **RESIST REMOVING APPARATUS AND METHOD OF REMOVING RESIST**

**PETITION UNDER 37 CFR §1.47(a) ACCOMPANYING
DECLARATION SIGNED IN BEHALF OF MR. ATSUSHI SATO**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: June 28, 2005

Sir:

It is hereby requested that the attached DECLARATION FOR U.S. PATENT APPLICATION, signed in behalf of one of the joint inventors, Mr. Atsushi SATO, by the other co-inventors, be accepted under the provisions of 37 CFR §1.47(a). The facts in support of this Petition are set forth in the accompanying DECLARATION IN SUPPORT OF PETITION UNDER 37 CFR § 1.47 by Takayoshi KOKUBUN, a Japanese patent attorney involved in the prosecution of the above-captioned patent application who has personal knowledge of all facts stated therein.

The last known address of Mr. Atsushi SATO is:

1-18-208, Kouya 2-chome, Ichikawa-shi, Chiba 272-0013 JAPAN

The Declaration by Takayoshi KOKUBUN, sets forth that Mr. Atsushi Sato cannot be found or reached by diligent effort to sign the DECLARATION FOR U.S. PATENT APPLICATION. Mr. KOKUBUN provides a statement of facts illustrating diligent efforts to contact Mr. SATO, all of which were unsuccessful.

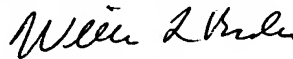
Enclosed herewith is a check in the amount of \$130.00 for the fee for this Petition as required under 37 CFR §1.17(h). The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to our Deposit Account No. 01-2340.

Accordingly, please accept the executed DECLARATION FOR U.S. PATENT APPLICATION, signed by the other co-inventors in behalf of one of the joint inventors, Mr. Atsushi SATO, who is deemed unavailable along with this Petition and the attached DECLARATION signed by Mr. KOKUBUN, as being fully responsive to the Notification of Missing Requirements under 37 USC §371 dated April 4, 2005.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP

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PATENT TRADEMARK OFFICE

Enclosure: Declaration in Support of Petition §1.47

The PTO did not receive the following
listed item(s)

No check of \$130

PT/PTO 28 JUN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: ENDO, Tamio, et al.

Group Art Unit: 1756

Serial No.: 10/510,245

Examiner: Not Yet Assigned

Filed: October 15, 2004

Confirmation No.: 2166

For: RESIST REMOVING APPARATUS AND METHOD OF REMOVING RESIST

DECLARATION IN SUPPORT OF PETITION UNDER 37 CFR §1.47Commissioner for Patents
P.O. Box 1450

Alexandria, VA 22313-1450 Date:

June 15, 2005

Sir:

I, Takayoshi KOKUBUN, declare as follows:

1. Messrs. Tamio ENDO, Atsushi SATO, Yasuhiko AMANO and Tetsuji TAMURA are joint inventors of the above-captioned patent application;
2. Atsushi SATO, after repeated diligent efforts to locate his whereabouts, cannot be located.
3. On September 27, 2004, a letter was mailed to the last known address of Atsushi SATO, including an English translation of the Specification, Claims, Abstract and Drawings, International Publication No. WO 03/088337, Declaration and Power of Attorney, and Assignment. All of this items were then returned in the mail because Mr. SATO had moved and his new address was unknown. Copies of these items are attached hereto, including the mailing envelope.
4. Several attempts to contact Mr. SATO at his last known home phone number and cellular phone number were subsequently made. However, no one answered. In addition, a telephone information operator was questioned about his phone number. His phone number is unlisted in the telephone directory. An attempt was made to contact him via facsimile at his last known fax number, however, it was not in use.
5. An e-mail was then sent to Mr. SATO at his last known e-mail address, but, it was not deliverable.

6. An inquiry was made at the last known work office of Mr. SATO. However, and it was discovered that he had retired and no one had useful information about him.

7. Although several attempts were made to contact him in the above ways, none were successful. His whereabouts was and still unknown. Therefore, it is respectfully submitted that co-inventor Atsushi SATO is unavailable for executing the Declaration.

8. Mr. Atsushi SATO's last known residence address is: 1-18-208, Kouya 2-chome, Ichikawa-shi, Chiba 272-0013 JAPAN.

9. I hereby declare that all of statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.


Takayoshi KOKUBUN

Jun 15, 2005

Date

Enclosures: Envelope, English Translation of Specification, Claims, Abstract and Drawings, International Publication WO 03/088337 and Declaration and Power of Attorney and Assignment